

**FILED**

September 25, 2023

KAREN MITCHELL  
CLERK, U.S. DISTRICT  
COURT

**United States Court of Appeals  
for the Fifth Circuit**

United States Court of Appeals  
Fifth Circuit

**FILED**

August 1, 2023

Lyle W. Cayce  
Clerk

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No. 23-10319

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WILLIAM T. MOCK; CHRISTOPHER LEWIS; FIREARMS POLICY  
COALITION, INCORPORATED, *a nonprofit corporation*; MAXIM  
DEFENSE INDUSTRIES, L.L.C.,

*Plaintiffs—Appellants,*

*versus*

MERRICK GARLAND, *U.S. Attorney General, in his official capacity as  
Attorney General of the United States*; UNITED STATES DEPARTMENT  
OF JUSTICE; BUREAU OF ALCOHOL, TOBACCO, FIREARMS, and  
EXPLOSIVES; STEVEN DETTELBACH, *in his official capacity as the  
Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives,*

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:23-CV-95

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Before SMITH, HIGGINSON, and WILLETT, *Circuit Judges.*

**J U D G M E N T**

This cause was considered on the record on appeal and was argued by  
counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is REVERSED and REMANDED to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party bear its own costs on appeal.

DON R. WILLETT, *Circuit Judge*, concurring.

STEPHEN A. HIGGINSON, *Circuit Judge*, dissenting.



Certified as a true copy and issued  
as the mandate on Sep 25, 2023

Attest:

*Jyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit